

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 18-1939V

UNPUBLISHED

CHRISTINE GUALTIER,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 5, 2020

Special Processing Unit (SPU); Joint
Stipulation on Damages; Meningococcal
Conjugate Vaccine, Tetanus Diphtheria
acellular Pertussis (Tdap) Vaccine,
Hepatitis A (Hep A) Vaccine; Complex
Regional Pain Syndrome

Mary Patricia Hough, Law Offices of Moss & Hough, San Francisco, CA, for Petitioner.

Voris Edward Johnson, U.S. Department of Justice, Washington, DC, for respondent.

DECISION ON JOINT STIPULATION¹

On December 19, 2018, Christine Gualtier filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,² (the “Vaccine Act”). Petitioner alleges that she suffered injuries, including Complex Regional Pain Syndrome, and related complications resulting from receiving five vaccinations to her left deltoid on December 14, 2016, including the following Vaccine Table (Table) vaccines: meningococcal conjugate vaccine, Tdap vaccine, and Hep A vaccine.³ Petition at 1; Stipulation, filed June 3, 2020, at ¶¶ 2, 4. Petitioner further alleges that the vaccines were administered in the United States, she experienced the residual effects

¹ Because this unpublished decision contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the decision will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

³ Respondent noted that Petitioner also received typhoid and yellow fever vaccines in her left arm on this date; however, those vaccines are not contained in the Vaccine Injury Table and, therefore, are not covered by the Vaccine Program. Stipulation at 1.

of her injury for more than six months, and there has been no prior award or settlement of a civil action for damages as a result of her condition. Petition at 1, 5; Stipulation at ¶¶ 3-5. “Respondent denies that [P]etitioner’s alleged injury and residual effects, or any other injury, were caused by her Tdap, meningococcal and/or hepatitis A vaccinations.” Stipulation at ¶ 6.

Nevertheless, on June 3, 2020, the parties filed the attached joint stipulation, stating that a decision should be entered awarding compensation. I find the stipulation reasonable and adopt it as my decision awarding damages, on the terms set forth therein.

Pursuant to the terms stated in the attached Stipulation, **I award** the following compensation:

A lump sum of \$115,000.00 in the form of a check payable to Petitioner.

Stipulation at ¶ 8. This amount represents compensation for all items of damages that would be available under § 15(a). *Id.*

I approve the requested amount for Petitioner’s compensation. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment in accordance with this decision.⁴

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master

⁴ Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties’ joint filing of notice renouncing the right to seek review.

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS**

CHRISTINE GUALTIER)	
)	
Petitioner,)	
)	
v.)	No. 18-1939V (ECF)
)	Chief Special Master Corcoran
SECRETARY OF HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	

STIPULATION

The parties hereby stipulate to the following matters:

1. Christine Gualtier (“petitioner”) filed a petition for vaccine compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §§ 300aa-10 to -34 (the “Vaccine Program”). The petition seeks compensation for injuries allegedly sustained following petitioner’s receipt of tetanus-diphtheria-acellular pertussis (“Tdap”), meningococcal and hepatitis A vaccines, which are contained in the Vaccine Injury Table (the “Table”), 42 C.F.R. §100.3(a).
2. Petitioner received the Tdap, meningococcal and hepatitis A vaccines in her left arm on December 14, 2016.¹
3. The vaccines were administered within the United States.
4. Petitioner alleges that she subsequently suffered Complex Regional Pain

¹ Petitioner also received typhoid and yellow fever vaccines in her left arm on this same date; however, those vaccines are not contained in the Vaccine Injury Table and, therefore, are not covered by the Vaccine Program.

